

VZCZCXRO6285
PP RUEHDBU
DE RUEHBUL #1255/01 1371341
ZNR UUUUU ZZH
P 171341Z MAY 09
FM AMEMBASSY KABUL
TO RUEHC/SECSTATE WASHDC PRIORITY 8941
RUEHTA/AMEMBASSY ASTANA 0121
RUEHKB/AMEMBASSY BAKU 1494
RUEHRL/AMEMBASSY BERLIN 2221
RUEHEK/AMEMBASSY BISHKEK 4813
RUEHDBU/AMEMBASSY DUSHANBE 0055
RUEHMO/AMEMBASSY MOSCOW 3065
RUEHNT/AMEMBASSY TASHKENT 0005
RUEHSI/AMEMBASSY TBILISI 0050
RUEHYE/AMEMBASSY YEREVAN 0069
RUEAORC/US CUSTOMS AND BORDER PROTECTION WASHINGTON DC
RUEKJCS/SECDEF WASHINGTON DC
RULSJGA/COMDT COGRD WASHINGTON DC
RHMFIUU/HQ USCENCOM MACDILL AFB FL
RHMFIUU/DEPT OF ENERGY WASHINGTON DC
RUEKJCS/JOINT STAFF WASHINGTON DC
RUEASWA/DTRA ALEX WASHINGTON DC

UNCLAS SECTION 01 OF 03 KABUL 001255

SIPDIS

DEPT FOR ISN/ECC DFORBES, LSPRINGER, AND YWONG
SCA/RA FOR JSPILLSBURY
SCA/A
CBP/INATR GRISING AND JJEFFERS
DHS/ICE FOR AMEFFERD
DOE/NNSA FOR JCOLLINS
DOC/BIS FOR DCREED
USCG FOR SHABTEMICHAEL
AMEMBASSY BERLIN FOR CBP ATTACHE
AMEMBASSY MOSCOW FOR ICE ATTACHE

E.O. 12958: N/A

TAGS: [ETTC](#) [KNNP](#) [KSTC](#) [MNUC](#) [PARM](#) [PREL](#) [KG](#) [AF](#)

SUBJECT: EXBS ADVISOR APRIL 26 TO MAY 10, 2009 MONTH END REPORT,
KABUL, AFGHANISTAN

I. BROAD ITEMS OF INTEREST TO ADVISORS AND AGENCY MANAGERS: EXBS activities during this reporting period included:

1. (U) EXBS Advisor Fetty arrived at Kabul, Afghanistan on April 26, 2009. Advisor Fetty was Advisor in Turkmenistan, Uzbekistan, Kyrgyzstan and Kazakhstan prior to his assignment to Afghanistan. EXBS Program Coordinator Roohullah Shekaib attended the UGA Export Control and Policy Workshop held at the University of Georgia from 4/11/09 to 4/24/09 and participated in meetings in WADC from 4/25/09 to 4/28/09.

II. COMPLETED ACTIONS FOR REPORTING PERIOD (KABUL, AFGHANISTAN):

A. Site Assessments and Meetings held during this Reporting Period.

1. (U) The Export Control and Related Border Security (EXBS) program has been working with the Ministry of Commerce and Industry (MoCI) to establish a modern Import/Export licensing system. EXBS agreed to provide the funding for the installation of equipment and training by Bearing Point Management and Technology Consultants. The Export Control licensing project was supported by MoCI Minister Dr. Farhang. The Minister subsequently provided a written commitment to collaborate with the U.S. Embassy to draft a new Export Control Law (Strategic Control Act). The previous EXBS Advisor Michael Seguin worked closely with the MoCI and Bearing Point to obligate funding for an assessment and hardware and software development and delivery. (See EXBS Advisor report for October 2008). The equipment was delivered to the Embassy in April, 2009 but Bearing Point was unable to install it due to an unexpected demand by the Deputy Minister to provide support for construction or renovation of a room to house the equipment. This request had not been part of any previous discussions and ISN/ECC determined that it was an unreasonable request. At a May 5 follow-up meeting with the new Minister of Commerce and Industry Mr. Shahrar, the Embassy was

informed that the MoCI is now ready to proceed to the next phase of this project.

¶2. (U) The Ministry of Commerce and Industry (MoCI) provided the Embassy with an official notice stating that they welcome the assistance of the Embassy and EXBS in developing a new Export Control Law (Strategic Goods Act). This law, based on European Union (EU) models of similar laws, will incorporate control lists and provide the legal foundation to institutionalize controls on the movement of weapons of mass destruction and their precursors. EXBS provided funds to translate a version of a model EU law into Dari. The model EU law will serve as a starting point for the MoCI to draft their Strategic Goods bill. Other key stake holders such as the Ministry of Finance (Customs) and the Ministry of Foreign Affairs have expressed their commitments to getting this draft legislation completed. This project will build capacity for the Afghan government in the area of non-proliferation controls and will provide a legal foundation for the use of international Control Lists and Import, Export and Transshipment controls for the movement of Weapons of Mass Destruction. The new hardware and software will automate their current license control system. This effort will include a database that can efficiently manage licensing approvals as well as give the law enforcement community better visibility of the movement of all shipments in and out of Afghanistan. Until recently, due to security concerns in the Kabul area, EXBS was unable to provide follow-up legislative development assistance. The EXBS Advisor was recently able to inform ISN/ECC that this training can now be scheduled.

¶3. (U) The EXBS Advisor and Border Management Task Force (BMTF)

KABUL 00001255 002 OF 003

officials Edmund Cassidy and Jim Petree met with Afghan Customs Director General Mr. Bismellah Kammawie and Mr. Amir Mohammad, Director of Kabul International Airport Customs to discuss future cooperation, equipment and training that can be provided by EXBS and BMTF. Mr. Kammawie stated that he is very grateful for the equipment and assistance that the United States has provided to date. He requested that EXBS exchange the large 13.5 ton forklifts that were provided in 2007 for smaller 3.0 ton units that could be used to offload palletized cargo at the Inland Cargo Depots (ICD). The Advisor and BMTF officials visited the ICD in Kabul. The 13.5 ton forklift was not being used and the crowded conditions in the ICD truck lot allowed very little room for the unit to maneuver. The Director also requested additional training on the new x-rays that EXBS provided. The Director is very interested in getting enforcement training institutionalized in the Customs curriculum. The Advisor informed the Director about the training program for host government academy instructors that is held at FLETC with visits to the host country by FLETC instructors. Mr. Cassidy also informed him about the BMTF train-the-trainer training provided by the BMFT Mentors. Both programs would complement each other. The Director was very interested in these two programs and requested that EXBS and BMTF contact our agencies to see if we can get these programs established in Afghanistan.

¶B. Training Conducted During Report Period.

¶1. None

¶C. Training Programs Pending.

¶1. (U) EXBS has requested ISN/ECC contract with Commonwealth Trading Partners (CTP) to conduct legislative development assistance in Afghanistan. The assistance is necessary to help the Afghan officials identify deficiencies in existing export control laws and regulations, and to help them draft laws and regulations that meet accepted international standards. CTP has already provided workshops on National Control Lists, Legal and Regulatory procedures in Afghanistan, and Licensing Process and Procedures.

¶2. (U) On May 3, 2009 EXBS delivered a diplomatic Note to the Government of Afghanistan inviting them to send three participants to the United Nations Resolution 1540 Workshop. The Workshop will be held June 23 - 25 in Colombo, Sri Lanka and hosted by the Governments of Sri Lanka and the United States. Resolution 1540

decides that all States shall take and enforce effective measures to establish domestic controls to prevent the proliferation of nuclear, chemical or biological weapons and their delivery systems. The 1540 Workshops promote capacity-building on national and regional levels to advance full implementation of Resolution 1540. EXBS Afghanistan has requested that ISN/ECC provide funding for a Resolution 1540 Workshop in Kabul, Afghanistan. This workshop would provide the information to produce documentation that would result in satisfying Afghanistan's UNSCR 1540 submissions. The previous EXBS Advisor has made inquiries to the Ministry of Foreign Affairs on this proposed event and all the associated Ministries having a stake in UNSCR 1540 are supportive of this workshop. EXBS headquarters has indicated a willingness to fund and sponsor the 1540 workshop. The EXBS workshops consist of a cross section of more than 13 Ministries. Opportunities for ministries to interact and network on issues of non-proliferation are rare. EXBS is providing an important vehicle to bring Ministries routinely together. EXBS hopes that the knowledge gained by the three participants to the Resolution 1540 Workshop in Sri Lanka will greatly enhance their ability to implement 1540 in Afghanistan.

KABUL 00001255 003 OF 003

¶2. (U) On May 3, 2009 EXBS delivered a Diplomatic Note to the Government of Afghanistan inviting them to send three participants to the tenth International Export Control Conference in Istanbul, Turkey on June 25 - 27, 2009. The Governments of Turkey and the United States will co-host the event. Officials from more than sixty countries have been invited to attend the conference.

¶3. (U) EXBS has entered into an agreement with BMTF to use BMFT Mentors located near border crossing posts and ICDs as trainers on selected EXBS equipment. The trainers will all have experience as border inspectors and knowledgeable on the equipment. This agreement was reached because of the difficulty EXBS has in traveling to certain areas within Afghanistan due to the increased security concerns. The EXBS staff will still provide training whenever they can. EXBS feels that the Train-The-Trainer approach would solve this problem. On the more technical equipment, subject matter experts will be required to conduct training on the radiation and metal detection/identification devices. Once a source for this training has been identified and the training completed, this equipment can be fielded immediately following training. The EXBS office continues to work with ISN/ECC to find an acceptable source for this training. Getting the equipment handed off is a top EXBS priority.

III. RED FLAG ISSUES:

¶1. (U) No Red Flag Issues to report.
EIKENBERRY